# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

Docket No. POU920040005US1

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Total Pages in this Submission



### TO THE COMMISSIONER FOR PATENTS

Mail Stop Patent Application P.O. Box 1450

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						Applica	tion Elements				
1.	X	Filin	g fee as c	calculated and	tran	smitted as o	lescribed below				
2.	X	Spe	cification	having		33	pages and i	ncluding the following:			
	a.	$\boxtimes$	Descripti	ive Title of the	e Inve	ention					
	b.	$\boxtimes$	Cross Re	eferences to I	Relat	ed Application	ons (if applicable)				
	C.		Stateme	nt Regarding	Fede	erally-sponso	ored Research/De	evelopment (if applicable)			
	d.	$\boxtimes$	Reference	ce to Sequen	ce Lis	sting, a Table	e, or a Computer	Program Listing Appendix			
	e.	$\boxtimes$	Backgro	und of the Inv	entio	on .	·	منطق			
	f.	$\boxtimes$		mmary of the					_		
	g. 🗵 Brief Description of the Drawings (if filed)							OIPE	APR	RE(	
		$\boxtimes$		Description		• ,	•		ال / آ	1	Œ
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Application Elements (Continued)											
3.	$\boxtimes$	Drawing(s) (when necessary as prescribed by 35 USC 113)									
	a.	☐ Formal Number of Sheets Seven (7)									
	b.	□ Informal Number of Sheets									
4.	$\boxtimes$	Oath or Declaration									
	a.	☑ Newly executed (original or copy) ☐ Unexecuted									
	b.	☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)									
	C.	With Power of Attorney									
	d.	DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).									
5.		ncorporation By Reference (usable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under too 4b, is considered as being part of the disclosure of the accompanying application and is hereby accorporated by reference therein.									
6.		ROM or CD-R in duplicate, large table or Computer Program (Appendix)									
7.	$\boxtimes$	Application Data Sheet (See 37 CFR 1.76)									
8.		Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)									
	a.	☐ Computer Readable Form (CRF)									
	b.	□ Specification Sequence Listing on:									
		i.   CD-ROM or CD-R (2 copies); or									
		ii. 🔲 Paper									
	C.	☐ Statement(s) Verifying Identical Paper and Computer Readable Copy									
		Accompanying Application Parts									
9.		Assignment Papers (cover sheet & document(s))									
10.		CFR 3.73(B) Statement (when there is an assignee)									
11.		glish Translation Document (if applicable)									
12.	X	nformation Disclosure Statement/PTO-1449									
13.		reliminary Amendment									
14.	X	Return Receipt Postcard (MPEP 503) (Should be specifically itemized)									
15.		Certified Copy of Priority Document(s) (if foreign priority is claimed)									
16.	X	Certificate of Mailing									
		☐ First Class ☒ Express Mail (Specify Label No.): EV 329502320 US									

## UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

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Total Pages in this Submission

	. <u>-</u>	Accompanying Application Parts (Continued)
17.		Additional Enclosures (please identify below):
		Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)
18.		Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.
		Warning
		An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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### Fee Calculation and Transmittal

Fee Calculation and Transmittal  CLAIMS AS FILED									
									#Filed
32	- 20 =	12	x	\$18.00		\$216.00			
5	- 3 =	2	×	\$86.00		\$172.00			
Multiple Dependent Claims (check if applicable)									
BASIC FEE									
OTHER FEE (specify purpose)									
TOTAL FILING FEE									
□ A check in the amount of to cover the filing fee is enclosed.  □ The Director is hereby authorized to charge and credit Deposit Account No. 09-0463 (IBM) as described below.  □ Charge the amount of \$1,158.00 as filing fee.  □ Credit any overpayment.  □ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.  □ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).  □ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).									
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cc:

5 Columbia Circle

Albany, New York 12203 Telephone: (518) 452-5600

Facsimile: (519) 452-5579

### CERTIFICATE OF MAILING BY "EXPRESS MAIL"

In Re Application of: Scot H. Rider

Title: METHOD, SYSTEM AND PROGRAM PRODUCT FOR ACTIVELY

MANAGING CENTRAL QUEUE BUFFER ALLOCATION USING A

**BACKPRESSURE MECHANISM** 

Attorney Docket No.: POU920040005US1 (0560.512)

"EXPRESS MAIL" MAILING LABEL NO.: EV 329502320 US

Date of Deposit: April 9, 2004

I hereby certify that this paper is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and addressed to:

MS Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Staci D. Johnson

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

#### Enclosures:

- \* Utility Patent Application Transmittal Letter (4 pages) (in duplicate)
- \* Application Data Sheet (2 pages)
- \* U.S. Patent Application which includes:

Specification (18 pages), 32 Claims (14 pages), Abstract (1 page)

- \* Declaration and Power of Attorney for Patent Application (3 pages -executed)
- \* Seven (7) sheets of Formal Drawings
- \* Information Disclosure Citation (1 page) and
- \* Two (2) Acknowledgment Postcards